AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599

1655

PATENT APPLICATION

ATTORNEY DOCKET NO. 10003511-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Wolber

Serial No.: 09/628,472 **Examiner:** B. Forman

Filing Date: 07-31-2000 **Group Art Unit:** 1655

Title: ARRAY BASED METHODS FOR SYNTHESIZING NUCLEIC ACID MIXTURES

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

(X) Response/Amendment ( ) Petition to extend time to respond
( ) New fee as calculated below ( ) Supplemental Declaration
( ) No additional fee (Address envelope to "Box Non-Fee Amendments")
(X) Other: Return receipt postcard (fee $)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	20	MINUS	20	= 0	X $18	$ 0
INDEP. CLAIMS	3	MINUS	4	= 0	X $84	$ 0
[ ] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ $280	$ 0
EXTENSION FEE	1ST MONTH $110.00 [ ]	2ND MONTH $410.00 [ ]	3RD MONTH $930.00 [ ]	4TH MONTH $1450.00 [ ]		$ 0
					OTHER FEES	$
					TOTAL ADDITIONAL FEE FOR THIS AMENDMENT	$ 0

Charge $ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: 02-03-2003

Typed Name: Donna Macedo

Signature: Donna Macedo

Respectfully submitted,

Wolber

By

Bret Field for Gordon Stewart
Attorney/Agent for Applicant(s)
Reg. No. 37,620

Date: 02-03-03

Telephone No.: (650) 485-2386

Rev 12/02 (TransAmd)

- Attach as First Page to Transmitted Papers -

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.			
Typed or Printed Name	Donna Macedo		
Signature	Donna Macedo	**Date**	2/3/03

AMENDMENT & RESPONSE		
Address to: Commissioner for Patents Washington, D.C. 20231	Application Number	09/628,472
	Attorney Docket Number	10003511-1
	Filing Date	July 31, 2000
	First Named Inventor	Wolber
	Examiner	B. Forman
	Group Art	1655
	Title	Array Based Methods for Synthesizing Nucleic Acid Mixtures

Sir:

This amendment is responsive to the Office Action dated November 1, 2002, for which a three-month period for response was given making this response due on or before February 1, 2003. Accordingly, a response is timely filed.

In view of the amendments to the claims and the remarks put forth below, reconsideration and allowance are respectfully requested.

AMENDMENTS

IN THE CLAIMS

1. (Twice Amended) A method for producing a mixture of nucleic acids, said method comprising:

(a) providing an array of distinct single-stranded probe nucleic acids of differing sequence where each distinct probe present on said array comprises a constant domain and a complement variable domain, wherein said complement variable domain is at the 5' end of said each distinct probe;

(b) hybridizing nucleic acids complementary to said constant domain with said array of single-stranded probe nucleic acids to produce a template array of overhang comprising duplex nucleic acids, wherein each overhang comprising duplex nucleic acid of said array comprises a double-stranded constant region and a single-stranded variable region overhang;

(c) subjecting said template array of overhang comprising duplex nucleic acids to a primer extension reaction that produces a solution phase product comprising a mixture of nucleic acids of differing sequence; and

(d) separating said mixture of nucleic acids from said template array.